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10/7/96

October 7, 1996

US EPA RECORDS CENTER REGION 5



471783

Ms. Peggy Hendrixson
Contracting Officer
U.S. Environmental Protection Agency
77 West Jackson (MCC-10J)
Chicago, IL 60604

RE: REQUEST FOR CONFLICT OF INTEREST DETERMINATION

Telephone

616.942.9600

Dear Peggy:

Facsimile

616.942.6499

In accordance with ARCS contract clause H.2-Organizational Conflicts of Interest, we are requesting your approval to pursue a construction management opportunity at another NPL site in Michigan.

EARTH TECH, Inc. is currently working for the U.S. EPA performing RD/RA oversight of the Albion-Sheridan Township Landfill site in Albion, Michigan. One of the PRPs at the site is Cooper Industries, of Houston, Texas. Cooper Industries is also a PRP at the Sturgis Well Field site in Sturgis, Michigan. A portion of the remediation at that site is the installation of a soil vapor extraction (SVE) system to remediate soils. The SVE system has been designed by another consultant and Cooper Industries is in the process of soliciting bids to oversee the construction of the SVE system. EARTH TECH would like to bid on the construction oversight of the SVE system and is requesting a determination of conflict of interest in this matter.

EARTH TECH does not believe the Sturgis SVE construction would present a conflict, however, in accordance with "Organizational Conflicts of Interest, (EPAAR 1552.209-71) (May 1994)", we are required to report any "potential organizational conflict(s) of interest". The staff working on the Albion Sheridan Township Landfill site are composed of staff members of our Environmental Services Division in the Grand Rapids, Michigan office. The staff that would provide assistance on the Sturgis Well Field site are composed of staff members of our Remediation Services Division in the Wilder, Kentucky office. One engineer from our Grand Rapids office would likely work on the Sturgis Well field site, however, he is not working on the Albion-Sheridan Township Landfill RD/RA oversight. In addition, the nature of the work at the Sturgis

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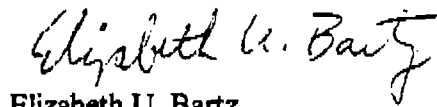
Well Field is construction of a previously completed design and does not involve any assistance to Cooper Industries in their contacts or negotiations with U.S. EPA or the State of Michigan.

Please call me regarding this request at your earliest convenience.

Sincerely yours,

EARTH TECH, INC.


Carl A. Malsom
ARCS Program Manager


Elizabeth U. Bartz
Senior Project Manager

cc. Pat Vogtman, U.S. EPA
Leah Evison, U.S. EPA
Reading, 7(a)



From: LEAH EVISON
To: vogtman-pat
Date: 10/11/96 1:49pm
Subject: Earthtech conflict of interest

I do not think that oversight of the Sturgis SVE by EarthTech would be conflict of interest with their PRP oversight at Albion because 1) it would be almost exclusively a different EarthTech office doing the work and 2) EarthTech would be overseeing construction for Cooper, not representing Cooper in any negotiations with EPA, and 3) their oversight work at Albion is not direct oversight of Cooper, since the work is being done by a consultant hired by the entire PRP group.